

UNITED STATE DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO.: 05-CV-11538-NMG

PATRICK R. TREANOR,
LORRAINE KELLEY TREANOR,
INDIVIDUALLY, AND AS PARENT
AND NEXT FRIEND OF
MADELYN TREANOR, AND AS
PARENT AND NEXT FRIEND OF
ALLISON TREANOR

Plaintiff

v.

NATIONAL RAILROAD PASSENGER CORPORATION
(a/k/a "AMTRAK") AND
CSX TRANSPORTATION, INC.

Defendants

FRCP 26 (a) (1) Discovery Response

On behalf of Plaintiffs, counsel hereby makes initial discovery disclosures pursuant to Federal Rule of Civil Procedure 26 (a) (1):

(A)

The four plaintiffs have discoverable information in support of their claims. The plaintiffs all reside at 122 Curve Street, Dedham, MA 02026.

Plaintiffs' physicians, all of whom are identified in treatment records, which have been previously produced to defendant AMTRAK, and which are available for further inspection and copying at the office of plaintiffs' counsel.

Dana C. Hewins, Ph.D. – 1 Tamett Brook Road, Lakeville, MA 02347. Dr. Hewins is an economist retained by the plaintiffs, and is expected to be called as an expert witness on their behalf. He has reviewed tax records of the plaintiffs, tax records and payroll records of Perfusion Supply, Inc. (Mr. Treanor's company) and records concerning Mr. Treanor's Veteran's Administration contract for Perfusion Supply, Inc. All of the aforementioned records reviewed to date by Dr. Hewins have been supplied to defendant AMTRAK, and are also available for further inspection and copying at the offices of plaintiffs' counsel. These records include the names and addresses of employees of Perfusion Supply, Inc. who may have information relative to the claims of Patrick Treanor.

Rule 26 response, Pg.2, 11/11/2005

(B)

Medical records, billing statements, tax records of the plaintiffs' and tax records and business records of Perfusion Supply, Inc. are available at the office of Plaintiffs' counsel, at 803 Hancock St., Quincy, MA 02170, for further inspection and copying. See also attached exhibits A – H. Supplemental records and bills have been sought from providers and will be produced to defendants as soon as received.

(C)

See attached exhibits A – H. Further answering, report of Dr. Hewins, dated 10/1/2003 has previously been provided to defendants, and can also be reviewed and copied at the office of plaintiffs' counsel.

(D)

No responsive documents.

Respectfully submitted,
Cosgrove, Eisenberg & Kiley, P.C.

/s/ Peter M. McElroy
Peter M. McElroy, Esq. (BBO No: 332480)
Cosgrove, Eisenberg & Kiley, P.C.
803 Hancock Street
Quincy, MA 02170
Phone: (617) 479-7770
Fax: (617) 773-6901

CLIENT: Patrick R. Treanor

DATE OF LOSS: April 18, 2002

OUR FILE NO.: trt10883

CHRONOLOGICAL LIST OF MEDICAL RECORDS

A.

- 04/18/02 Putnam Community Medical Center – Emergency Department Record
Charles T. Donaldson, M.D.
- 04/18/02 Putnam Community Medical Center – Conditions for Treatment
- 04/19/02 Putnam Community Medical Center – Office Note
Bryan Denham, M.D.
- 04/22/02 Brigham & Women's Hospital – Referral – Consultation Form
John Ready, M.D.
- 04/22/02 Brigham & Women's Hospital – Progress Notes
Physical Therapy
- 04/22/02 Brigham & Women's Hospital – Office Note
John Ready, M.D.
- 04/22/02 Brigham & Women's Hospital – Radiology - Diagnostic Report
Leyla Alparslan, M.D.
- 04/26/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 05/03/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 05/06/02 New England Baptist Hospital – Authorization Form / Questionnaire
Michael J. Lowney, M.D.

05/06/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/10/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/17/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/20/02 Brigham & Women's Hospital – Office Note
John Ready, M.D.

05/21/02 Quest Diagnostics – Office Note

05/21/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/31/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/07/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/11/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/20/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/27/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

07/02/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

07/09/02 Brigham & Women's Hospital – Office Note
John Ready, M.D.

12/02/02 Brigham & Women's Hospital – Office Note
John Ready, M.D.

CHRONOLOGICAL LIST OF MEDICAL BILLS

B.

04/18/02	Putnam Medical Center P.O. Box 778 Palatka, FL 32178-0778 Charles T. Donaldson, M.D.	515.00
04/22/02	Brigham & Women's Hospital P.O. Box 9111 Charlestown, MA 02129-9111 Leyla Alparslan, M.D.	529.00
04/22/02	Brigham & Women's Hospital John Ready, M.D.	604.00
04/22/02	Brigham & Women's Hospital John Ready, M.D.	350.00
04/26/02	New England Baptist Hospital 2081 Centre Street West Roxbury, MA 02132 Michael J. Lowney, M.D.	130.00
05/03/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	815.00
05/10/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/17/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/20/02	Brigham & Women's Hospital John Ready, M.D.	200.00

05/21/02	New England Baptist Hospital Michael J. Lowney, M.D.	115.00
05/31/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/07/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/11/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/22/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/27/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/02/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/09/02	Brigham & Women's Hospital John Ready, M.D.	130.00
12/02/02	Brigham & Women's Hospital John Ready, M.D.	<u>130.00</u>
	TOTAL:	\$ 4,688.00

CLIENT: Lorraine Kelley Treanor

DATE OF LOSS: April 18, 2002

OUR FILE NO.: trt10883

CHRONOLOGICAL LIST OF MEDICAL RECORDS

C.

- 04/18/02 Putnam Community Medical Center – Emergency Department Record
Charles T. Donaldson, M.D.
- 04/18/02 Putnam Community Medical Center – Emergency Physician Record
Charles T. Donaldson, M.D.
- 04/18/02 Putnam Community Medical Center – Emergency Nursing Triage Record
Beth Stewart, R.N.
- 04/18/02 Putnam Community Medical Center – E.D. Nurse's Notes
S. Collie, R.N.
- 04/18/02 Putnam Community Medical Center – E.D. Office Note / Report
Charles T. Donaldson, M.D.
- 04/22/02 Brigham & Women's Hospital – Referral – Consultation Form
John Ready, M.D.
- 04/22/02 Brigham & Women's Hospital – Progress Notes
Physical Therapy
- 04/22/02 Brigham & Women's Hospital – Office Note
John Ready, M.D.
- 04/22/02 Brigham & Women's Hospital – Radiology - Diagnostic Report
Piran Aliabadi, M.D.
- 04/24/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/03/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/06/02 New England Baptist Hospital – Authorization Form / Questionnaire
Michael J. Lowney, M.D.

05/09/02 Boston Imaging Associates, P.C. – Radiologic Examination Report
Elizabeth Wilson, M.D.

05/10/02 New England Baptist Hospital – Office Note
Damon Spitz, M.D.

05/13/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/14/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/20/02 Brigham & Women's Hospital – Office Note
John Ready, M.D.

05/24/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

05/30/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/06/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/07/02 Boston Imaging Associates, P.C. – Radiologic Examination Report
Susan Davis, M.D.

06/10/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/14/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/17/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

06/19/02 Tufts University School of Medicine – Office Note
Steven Kaufman, Ph.D.

06/27/02 New England Baptist Hospital – Office Note

Michael J. Lowney, M.D.

- 07/12/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 07/22/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 07/30/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 07/31/02 Open MRI of Dedham – Office Note
David D. Stark, M.D.
- 08/05/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 08/13/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 08/22/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 09/06/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 09/13/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 09/20/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 09/24/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 10/01/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.
- 10/08/02 New England Baptist Hospital – Office Note
Michael J. Lowney, M.D.

CHRONOLOGICAL LIST OF MEDICAL BILLS

D.

04/18/02	Putnam Medical Center P.O. Box 778 Palatka, FL 32178-0778 Charles T. Donaldson, M.D.	1,720.22
04/22/02	Brigham & Women's Hospital P.O. Box 9111 Charlestown, MA 02129-9111 John Ready, M.D.	350.00
04/24/02	New England Baptist Hospital 2081 Centre Street West Roxbury, MA 02132 Michael J. Lowney, M.D.	130.00
05/03/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
05/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
05/10/02	New England Baptist Hospital Michael J. Lowney, M.D.	815.00
05/13/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
05/20/02	Brigham & Women's Hospital John Ready, M.D.	200.00
05/24/02	New England Baptist Hospital Michael J. Lowney, M.D.	225.00
05/30/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
06/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00

06/10/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
06/14/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
06/21/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
06/27/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
07/12/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/22/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
07/30/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
08/13/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
08/22/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
09/06/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
09/13/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00
09/20/02	New England Baptist Hospital Michael J. Lowney, M.D.	95.00
09/24/02	New England Baptist Hospital Michael J. Lowney, M.D.	130.00

TOTAL: **\$ 5,395.22**

CLIENT: **Madelyn Treanor**

DATE OF LOSS: **April 18, 2002**

OUR FILE NO.: **trt10883**

CHRONOLOGICAL LIST OF MEDICAL RECORDS

E.

- 04/18/02 Putnam Community Medical Center – Emergency Department Record
Charles T. Donaldson, M.D.
- 04/18/02 Putnam Community Medical Center – Emergency Nursing Triage Record
Pelham, R.N.
- 04/18/02 Putnam Community Medical Center – Emergency Physician's Orders
Nick Anderson, M.D.
- 04/18/02 Putnam Community Medical Center – E.D. Nurse's Notes
- 04/22/02 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.
- 05/07/02 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.
- 05/08/02 Dedham Medical Associates, Inc. – Prescription / Referral Authorization
Lisbeth M.B. Howe, M.D.
- 05/11/02 Dedham Medical Associates, Inc. – Progress Note / Referral Authorization
Lisbeth M.B. Howe, M.D.
- 05/14/02 Dedham Medical Associates, Inc. – Prescription / CT Scan
Lisbeth M.B. Howe, M.D.
- 05/24/02 Dedham Medical Associates, Inc. – Check Up
Lisbeth M.B. Howe, M.D.
- 05/24/02 Newton-Wellesley Hospital – E.D. Registration / Clinical Information
Brian Sard, M.D.

05/24/02 Newton-Wellesley Hospital – E.D. Physician's Notes
Brian Sard, M.D.

05/24/02 Newton-Wellesley Hospital – Progress Notes
Brian Sard, M.D.

05/24/02 Newton-Wellesley Hospital – PCI Radiology Report
S. Mitchell Rivitz, M.D.

05/30/02 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

07/08/02 Children's Hospital Boston – Office Note
Mark R. Proctor, M.D.

09/06/02 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

12/06/02 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

01/06/03 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

01/13/03 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

01/13/03 Open MRI of Dedham – MRI of the Brain
Harvey L. Levine, M.D.

01/13/03 Quest Diagnostics
Salim E. Kabaat, M.D.

01/30/03 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

02/12/03 Dedham Medical Associates, Inc. – Progress Note
Lisbeth M.B. Howe, M.D.

CHRONOLOGICAL LIST OF MEDICAL BILLS

F.

04/18/02	Putnam Medical Center P.O. Box 778 Palatka, FL 32178-0778 Charles T. Donaldson, M.D.	145.00
04/22/02	Dedham Medical Associates, Inc. P.O. Box 9136 Dedham, MA 02027 Lisbeth M.B. Howe, M.D.	92.00
05/24/02	Newton-Wellesley Hospital Patients Account Department 2014 Washington Street Newton, MA 02462 Brian Sard, M.D.	1,409.00
07/08/02	Boston Neurosurgical Mark R. Proctor, M.D.	<u>208.00</u>

TOTAL: \$ **1,854.00**

CLIENT: Allison Treanor

DATE OF LOSS: April 18, 2002

OUR FILE NO.: trt10883

CHRONOLOGICAL LIST OF MEDICAL RECORDS

G.

04/18/02 Putnam Community Medical Center – Emergency Department Record
Charles T. Donaldson, M.D.

CHRONOLOGICAL LIST OF MEDICAL BILLS

H.

04/18/02	Putnam Medical Center	80.00
	P.O. Box 778	
	Palatka, FL 32178-0778	
	Charles T. Donaldson, M.D.	

TOTAL: \$ 80.00